

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1847 of 2019**

- Ramjeet Singh S/o Late Ghugali Singh Aged About 55 Years R/o A-1/33 Agyeya Nagar , PS Civil Lines, District Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Arakshi Kendra Masturi, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Priyank Rathi, Advocate.
For Respondent/State	: Shri Anand Verma, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****11/12/2019**

1. The applicant has preferred this first bail application under Section 438 of Cr.P.C. for apprehending arrest in connection with Crime No. 347/2019 registered at Police Station Arakshi Kendra, Masturi, District – Bilaspur, (C.G.) for the offence punishable under Sections 406, 407, 120-B, 506/34 of I.P.C.
2. As per the prosecution story, on 13.09.2019 a report has been lodged by one Chandrapal Baghel, General Manager of Power City Coal Private Limited, Jairamnagar alleging therein that he has purchased coal from S.E.C.L, Korba, which was transported in vehicles bearing registration Nos. CG 15 AC 4251 and CG 10 AP 0395 to Bhanesar Depot. On 10.09.2019, when inquired, it was found that instead of

coal, adulteration of “Jira Gitti” and “Coal Dust” was done with coal in both the vehicles. Again on 11.09.2019 when inquired, same adulteration was found. Thereafter, driver of the aforementioned two vehicles fled away. Allegation against the present applicant is that he is having an illegal coal depot on the way where the said coal has been acquired by him. It is further alleged that applicant is pressurizing the complainant to release the seized vehicles and is also threatening the coal manager of the depot. On the basis of the said, offence has been registered.

3. Learned Counsel appearing for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that, seized vehicles do not belong to applicant nor he is the manager of any coal depot. He is also not involved in the business of coal. He further submits that according to F.I.R., only allegation against present applicant is that he threatened the complainant on phone call. Therefore, only Section 506 of I.P.C. is made out against applicant, which is a bailable offence, and no other offence can be made out against him. Therefore, it is prayed that, applicant may be granted anticipatory bail.
4. Learned Counsel appearing for the State opposes the bail application.
5. I have heard learned Counsel appearing for the parties and perused the material available with due care.
6. Taking into consideration the submissions put-forth on behalf of the parties, considering the facts and circumstances of the case, evidence

collected by the prosecution and particularly considering the fact that applicant has only threatened the complainant on phone call, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present applicant.

7. Accordingly, the bail application is allowed.
8. It is directed that in the event of arrest of the applicant in connection with the aforesaid crime, he shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 20,000/- with one solvent surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned trial Court. He shall also abide by all the following terms and conditions :

- (i) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,
- (ii) He shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) He shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Arvind Singh Chandel)
Judge